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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/025,628      | 12/26/2001  | John I. Johnson      | 71493-1037 /pw      | 4432             |

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EXAMINER

PITARO, RYAN F

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2174

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/025,628 | <b>Applicant(s)</b><br>JOHNSON ET AL. |  |
|                              | <b>Examiner</b><br>Ryan F Pitaro     | <b>Art Unit</b><br>2174               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-30 and 32 is/are allowed.
- 6) ☒ Claim(s) 31,33,34-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-36 have been examined.
2. Claims 1-36 are pending in this application. This action is non-Final.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 31 is rejected under 35 U.S.C. 102(a) as being anticipated by Planas et al ("Planas", US 6,112,015).

As per independent claim 31, Planas discloses a method in a computer system for displaying network management information for an optical network (Column 3 lines 66-67, Column 4 lines 1-2), said optical network comprising a plurality of nodes and a plurality of links for transmitting optical signals between said plurality of nodes (Column 4 lines 17-21, Column 5 lines 20-31), wherein each of said optical signals is a multiplexed combination of a plurality of channel signals, the method comprising: Identifying in the plurality of nodes, add/drop nodes at which a channel signal may be

added to, and/or dropped from, an optical signal on the optical network (Column 5 lines 20-31), displaying a network topology panel (Column 4 lines 58-62), and displaying in the network topology panel, a graphical representation of only those of the plurality of nodes which have been identified as add/drop nodes (Column 6 lines 37-42).

5. Claim 33 is rejected under 35 U.S.C. 102(e) as being anticipated by Trier et al ("Trier", US 2003/0030862).

As per claim 33, Trier discloses a method in a computer system for displaying network management information for an optical network ([0030] lines 1-6), said optical network comprising a plurality of nodes each comprising at least one optical component and a plurality of links for transmitting optical signals between said plurality of nodes ([0036] lines 1-10) said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ( Figure 1), wherein each of said links is composed of a plurality of channels, and each of said channels is composed of at least one longitudinal segment, each of which longitudinal segments may be provisioned for data traffic by a network administrator ([0030] lines 1-6), the method comprising: awaiting selection of a selected route ([0056] lines 1-7); upon selection of a selected route, identifying each of the plurality of channels of which the links of the selected route are comprised ([0056] lines 1-7); displaying in the channel viewer panel ([0056] lines 1-7), a graphical representation of each of the plurality of channels identified for the selected route (Figure 10, [0056] lines 1-7); and communicating in association with each

of the graphical representations of the channels, which of the longitudinal segments of which the channel is comprised, has been provisioned for data traffic by the network administrator (Figure 10).

6. Claims 35 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al ("Naik", US 2004/0081308).

As per claim 35, Naik discloses a method displaying network management information for an optical network (Bass, Column 1 0-15) said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3), the method comprising: upon selection of a selected node, displaying in tabular form in a routes panel, information respecting each route which includes the selected node (Figure 33, [1082] lines 1-3).

As per claim 36, Naik discloses a method displaying network management information for an optical network (Bass, Column 1 0-15) said Optical network comprising a plurality of nodes each comprising at least one optical component, and a plurality of links for transmitting optical signals between said plurality of nodes ([0388] lines 1-3, [0392] lines 1-3), said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and

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intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ([0392] lines 1-3), the method comprising: upon selection of a selected link, displaying in a tabular form in a routes panel, information respecting each route which includes the selected link ([0332] lines 1-4).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trier et al ("Trier", US 2003/0030862) in view of Naik et al ("Naik" US 2004/0081308).

As per claim 34, Trier discloses a method in a computer system for displaying network management information for an optical network ([0030] lines 1-6), said optical network comprising a plurality of nodes each comprising at least one optical component and a plurality of links for transmitting optical signals between said plurality of nodes ([0036] lines 1-10) said optical network further comprising at least one route of optical signal transmission, said route comprising a start node, an end node, and intermediate nodes and intermediate links through which an optical signal is transmitted between the start node and the end node on the route ( Figure 1), wherein each of said links is composed of a plurality of channels, and each of said channels is composed of at least

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one longitudinal segment, each of which longitudinal segments may be provisioned for data traffic by a network administrator ([0030] lines 1-6), the method comprising: awaiting selection of a selected route (Figure 21b, routes 201,202,203...) upon selection of a selected route, identifying information respecting the transmitter optical component and receiver optical component associated with the channel signal transmitted by each of the channels of which the links of the selected route are composed (Column 16 lines 22-36). Trier fails to distinctly point out a transmitters/receivers panel. However, Naik teaches displaying a transmitters/receivers panel (Figure 7), displaying in tabular form in the transmitters/receivers panel, the information respecting each of the transmitter optical components and the receiver optical components identified for the selected route (Figure 7). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Trier with the teaching of Naik. Motivation to do so would have been to provide a way of viewing which connections are defined.

### ***Allowable Subject Matter***

9. Claims 1-30 and 32 are allowable.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 20020186432A1 teaches traffic monitoring for optical networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday-Thursday, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner



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RFP

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